

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF KENERGY CORP.	)	CASE NO.
FOR AN ADJUSTMENT OF RATES	)	2008-00323

ORDER

On September 3, 2008, Kenergy Corp. ("Kenergy") submitted for filing an application for an adjustment of electric rates based on a historic test period. The application proposed that the new rates become effective on October 3, 2008. Based on a review of Kenergy's rate application, the Commission finds that an investigation will be necessary to determine the reasonableness of the proposed rates and that investigation cannot be concluded by October 3, 2008. Therefore, pursuant to KRS 278.190(2), the Commission will suspend the effective date of the proposed rates for 5 months.

The Commission expects the parties to use their best efforts to informally resolve any discovery disputes or requests for extensions of time. Any such informal resolution should be promptly reduced to writing and filed with the Commission and all parties of record. Absent informal resolution, an objection or motion should be filed at least 4 business days prior to the established due date. If this deadline is not met, the filing party should include in the written objection or motion a full and complete explanation for such failure.

IT IS THEREFORE ORDERED that:

1. Kenergy's rates are suspended for 5 months from the October 3, 2008 effective date up to and including March 2, 2009.

2. The procedural schedule set forth in Appendix A, which is attached hereto and incorporated herein, shall be followed.

3. a. All requests for information and responses thereto shall be appropriately bound, tabbed, and indexed and the original and 10 copies shall be filed with the Commission, with copies to all parties of record. Any request for information by letter from the Commission Staff shall be responded to as if set forth in a Commission Order. All responses shall include the name of the witness who will be responsible for responding to questions related to the information provided.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or an association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. A party shall make timely amendment to any prior responses if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any requests to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

4. Any party filing testimony shall file an original and 10 copies with the Commission, with copies to all parties of record.

5. Kenergy shall give notice of the hearing in accordance with the provisions set out in 807 KAR 5:011, Section 8(5). At the time publication is requested, Kenergy shall forward a duplicate of the notice and request to the Commission.

6. At any public hearing in this matter, neither opening statements nor summarization of direct testimonies shall be permitted.

7. Any objections or motions relating to discovery or procedural dates shall be filed upon 4 business days' notice or the filing party shall explain, in writing, why such notice was not possible.

8. Motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

9. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

Done at Frankfort, Kentucky, this 24th day of September, 2008.

By the Commission

ATTEST:

  
Executive Director

## APPENDIX A

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2008-00323 DATED SEPTEMBER 24, 2008

All requests for information from Kenergy shall  
be filed no later than ..... 10/03/08

Kenergy shall file responses to the party's requests for  
information no later than ..... 10/15/08

All supplemental requests for information to Kenergy  
shall be filed no later than ..... 10/24/08

Kenergy shall file response to supplemental requests  
for information no later than ..... 11/05/08

Intervenor testimony, if any, in verified prepared  
form shall be filed no later than ..... 11/19/08

All requests for information to Intervenors shall  
be filed no later than ..... 12/03/08

Intervenors shall file responses to requests for  
information no later than ..... 12/17/08

Kenergy shall file rebuttal testimony, if any,  
in verified form, no later than ..... 12/31/08

Last day for Kenergy to publish notice of hearing ..... 1/07/09

Public Hearing to be held in Hearing Room 1  
of the Commission's offices at 211 Sower Boulevard,  
Frankfort, Kentucky, for the purpose of cross-examination  
of witnesses of Kenergy and Intervenors. Hearing to begin  
at 10:00 a.m., Eastern Standard Time ..... 1/14/09

Simultaneous Briefs, if any ..... 2/14/09